

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

THEODORE W. SMITH, III,

Petitioner,

-vs-

WARDEN, Southern Ohio Correctional  
Facility,

Respondent.

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Case No. 3:13-cv-065

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District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

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**RECOMMITTAL ORDER**

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This case is before the Court on Petitioner's Objections (Doc. No. 6) to the Magistrate Judge's Report and Recommendations (Doc. No. 147).

The District Judge has preliminarily considered the Objections and believes they will be more appropriately resolved after further analysis by the Magistrate Judge. Accordingly, pursuant to Fed. R. Civ. P. 72(b)(3), this matter is hereby returned to the Magistrate Judge with instructions to file a supplemental report analyzing the Objections and making recommendations based on that analysis.

April 15, 2013.

**s/THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge

